

FILED
HARRISBURG, PA
FEB 28 2003
MARY E. D'ANDREA, CLERK
Per [Signature]

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KEITH I. SCHORR and SUSAN	:	JURY TRIAL DEMANDED
SCHORR, in their own right and	:	
as personal representatives of the	:	
Estate of RYAN K. SCHORR,	:	
Plaintiffs,	:	
	:	
v.	:	NO.: 1:CV-01-0930
	:	
WEST SHORE REGIONAL POLICE	:	
DEPARTMENT, HOWARD	:	
DOUGHERTY, CUMBERLAND	:	
COUNTY, and HOLY SPIRIT	:	
HOSPITAL,	:	
Defendants.	:	HONORABLE YVETTE KANE

**DEFENDANT CUMBERLAND COUNTY'S STATEMENT OF MATERIAL
FACTS PURSUANT TO LOCAL RULE 56.1 IN SUPPORT OF ITS
MOTION FOR SUMMARY JUDGMENT**

In support of its Motion for Summary Judgment, Cumberland County submits the following Statement of Facts as to which said Defendant contends that there is no genuine issue to be tried:

1. At the time of the alleged incidents involving Ryan Schorr (“Decedent”) as outlined in the First Amended Complaint, Cumberland County contracted with Holy Spirit Hospital to provide crisis intervention services.

2. Crisis intervention services are those services to handle a crisis situation of a psychiatric or social service type situation.

3. Holy Spirit Hospital, pursuant to the contract with Cumberland County, provided the following:

a. All physicians or other health care providers that provided emergency treatment to Decedent as related to his detention pursuant to §302 of the Mental Health Procedures Act;

b. All the training for physicians, crisis intervention workers and other personnel with respect to the proper evaluation, security, restraint and/or treatment of Decedent when he was detained pursuant to §302 of the Mental Health Procedures Act;

c. All training for crisis intervention workers, nurses and other personnel with respect to communication to police officers, family members and patients with respect to the condition and mental state of Decedent while subject to §302 procedures; and

d. The maintenance of adequate crisis intervention facilities and staff.

4. Holy Spirit Hospital employed qualified persons at all times relevant to the events alleged in the First Amended Complaint as follows:

a. Carol Joerger, R.N. had worked eleven years as a nurse in the emergency room.

b. Security Guard Cory Graby testified that he had been a security officer at Holy Spirit for five and one-half years and had three years of college.

c. Candice Highfield was a part-time crisis worker, and a clinical social worker.

d. Mercedes Briscese, a part-time crisis worker, had earned her Master's degree in counseling in 1982 and had experience in working with crisis intervention and social work.

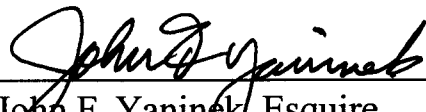
e. Steve Bucciferro, Administrative Director, had served nine years as administrative director of Mental Health Services and had twenty-two years experience in healthcare.

5. During the events alleged within Plaintiffs' First Amended Complaint, Decedent never had any direct contact with any Cumberland County official or employee.

6. Cumberland County incorporates herein by reference the Statement of Material Facts of Defendant Holy Spirit Hospital.

Respectfully submitted,

METTE, EVANS & WOODSIDE

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DATED: February 28, 2003

CERTIFICATE OF SERVICE

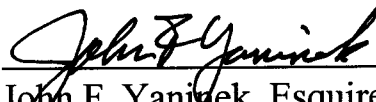
I, JOHN F. YANINEK, ESQUIRE, hereby certify that I am serving a copy of the foregoing document upon the person(s) and in the manner indicated below, which service satisfies the requirements of the Federal Rules of Civil Procedure, by depositing a copy of same in the United States Mail at Harrisburg, Pennsylvania, with first-class postage, prepaid, as follows:

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